



# Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## **Memorandum**

**Date:** March 22, 2016

**To:** Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

**From:** Robert Price, Assistant Planner

**Subject:** **David Sanderson (petitioner/owner)** – Variance under Section 3.02 of the Zoning Ordinance to permit a multi-family dwelling in the R-2 (Residential) District. The parcel is located at 81 Seaverns Bridge Road in the R-2 (Residential) District. Tax Map 3A, Lot 029. Case #2016-014.

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The following information is provided to aid in your consideration of the above referenced cases. Additional background and application materials are included in your packet.

### **Background:**

Map 3A, Lot 029 is located at 81 Seaverns Bridge Road in the R-2 (Residential) District. The parcel is approximately 3.69 acres in size. The property is serviced by a private well and septic system, and contains an existing duplex. It is abutted entirely by residential uses both in Merrimack and Amherst.

The parcel is accessible only through Amherst; it has no road frontage located in Merrimack. It is one of several lots in this area that have driveways off the Amherst portion of Seaverns Bridge Road. In this instance, the property benefits from a driveway easement across a residential lot in Amherst to reach Seaverns Bridge Road. Despite not having any road frontage on a Class V or better highway in the Town of Merrimack, no road frontage variance is required because the Zoning Ordinance does not speak to minimum dimensional requirements for multi-family dwellings in the R-2 District.

The petitioner seeks to add a third residential dwelling unit to the property, to be housed inside an existing garage. This is not considered an Accessory Dwelling Unit because ADUs are specific to single-family dwellings (see Section 2.02.1(B)(2)(a)).

If the petitioner successfully obtains the requested variance, he will be required to go before the Planning Board for site plan review, per RSA 674:43.

### **Standard of Review:**

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 3.02 of the Zoning Ordinance have been met to permit a multi-family dwelling in the R-2 (Residential) District.

**Should the Board vote to grant the variance, staff recommends that the following condition be attached:**

- The petitioner shall obtain site plan approval from the Planning Board for the proposed multi-family dwelling.

Cc: Zoning Board File  
Correspondence

Ec: David Sanderson (Applicant/Owner)  
Building Department Staff  
Captain John Manuele, Merrimack Fire Department